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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,807	01/10/2001	Nobuhiro Komata	SCEI 17.998	7356
26304	7590	11/16/2005	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585			PAPPAS, PETER	
			ART UNIT	PAPER NUMBER
			2671	
DATE MAILED: 11/16/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/757,807	<b>Applicant(s)</b> KOMATA, NOBUHIRO	
	<b>Examiner</b> Peter-Anthony Pappas	<b>Art Unit</b> 2671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-10, 12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-10, 12 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-5, 7-10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaskey et al. (U.S. Patent No. 5, 606, 344) in view of Armstrong (U.S. Patent No. 5, 999, 084).

3. In regards to claim 1 Blaskey et al. teaches an information display apparatus for use when giving a presentation or speech. A presenter may prepare, for example, a speech or presentation and store the text of the speech in the storage means. The information display apparatus may then be set up wherever the speech or presentation is to be given and the text of the speech can be displayed on the display means – typically a small screen. The display of the text on the screen is controllable and said text may be advanced manually or scrolled as required – i.e. automatically at a predetermined speed or speeds (Abstract; column 1, lines 9-10; column 1, lines 42-60; column 2, lines 39-46; Fig. 1; Fig. 3). It is noted said speech or presentation is considered to read on the limitation of a “phrase” and that said speech or presentation is considered to comprise a plurality of words ordered in a pre-defined manner forming a syntactic unit.

Blaskey et al. teaches that during the making of a speech, the user employs the small keypad 12 to control at least the display of text on the screen 2. Where as few as four keys 12a only are provided on the keypad 12, the controller may be programmed so that the keys provide different functions when pressed singly and in combinations. Pressing a selected pair of keys together may for example cause the text on the screen 2 to scroll at a pre-selected speed, with a single key on the keypad 12 thereafter pausing the scrolling (column 6, lines 3-24).

Blaskey et al. further teaches that operation commands are stored in the memory 15 (recording medium) in conjunction with the text to be displayed on the display 2, and control of the display 2 by the key pad causes those operation commands to be retrieved from the memory 15 by the controller 9 and passed to the transmitter 12 at a time which is synchronized with the display of an appropriate part of the text by the display 2 (column 5, lines 7-15).

Blaskey et al. fails to explicitly teach wherein a magnitude of an output value from said output pressure sensing means determines the sequential rate at which the phrase components are displayed on the screen. Armstrong teaches the ability to variably increase and reduce the sensor output dependent on the pressure exerted by the user in order to move faster or slower on a display (column 2, lines 66-67; column 3, lines 1-6). It would have been obvious to one skilled in the art, at the time of the applicant's invention, to incorporate the teachings of Armstrong into the apparatus taught by Blaskey et al., because Blaskey et al. utilizes an input device (keypad) which includes pressure-sensitive keys for controlling display information (column 6, lines 3-23) and

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through such incorporation it would grant a given user the ability to exert greater control and precision in regards to how said display information is controlled by allowing said user to speed up or slow down said display information at will (Armstrong: column 2, lines 66-67; column 3, lines 1-6).

4. In regards to claim 2 Blaskey et al. fails to explicitly teach wherein the phrase components are sequentially displayed on the screen in said pre-defined order in accordance with a rate of change per unit time of an output value of the variable output controller pressure sensing means. Armstrong teaches that the compressive force on a variable conductance material (column 10, lines 53-59) causes objects to move faster or slower on the screen as shown above. It is noted that in accordance with Newton's second law of motion the change in velocity with which an object moves is directly proportional to the magnitude of force applied to the object. The motivation disclosed in the rejection of claim 1 is incorporated herein.

5. In regards to claim 4 the rationale disclosed in the rejection of claim 1 is incorporated herein. It is noted said apparatus is considered to perform the method. In regards to the limitation "...until said message is displayed" it is implicitly taught by Blaskey et al. that said keypad is used until said speech or presentation is displayed.

6. In regards to claim 5 the rationale disclosed in the rejection of claim 2 is incorporated herein.

7. In regards to claim 7 Blaskey et al. fails to explicitly teach using a correspondence table to determine said sentence components to be sequentially displayed in accordance with said display rate and said variable pressure sensing

output value. It is extremely well known to use databases comprising data tables (correspondence table) for the storage, retrieval and processing of data and thus it would have been obvious to one skilled in the art, at the time of the applicant's invention, to utilize databases as the means by which to store, retrieve and process information on the recording means taught by Blaskey et al., because databases provide a conventional means by which to store, retrieve and process data and do not require specific hardware for implementation thus allowing said databases to operate on a plurality of computer systems.

8. In regards to claim 8 the rationale disclosed in the rejection of claim 1 is incorporated herein (column 1, lines 9-10; column 1, lines 42-60; column 2, lines 39-46; column 6, lines 3-24). It is noted that pressing a selected pair of keys together to cause the text on the screen to scroll at a pre-selected speed and then pressing a single key on the keypad thereafter pausing the scrolling (column 6, lines 3-24) is considered a to constitute a rate of change for the scrolling of text between previous pressuring sensing output value and a current pressure sensing output value.

9. In regards to claim 9 the rationale disclosed in the rejection of claim 1 is incorporated herein.

10. In regards to claim 10 the rationale disclosed in the rejection of claim 2 is incorporated herein.

11. In regards to claim 12 the rationale disclosed in the rejection of claim 7 is incorporated herein.

12. In regards to claim 13 the rationale disclosed in the rejection of claim 8 is incorporated herein.

### ***Response to Arguments***

13. In response to Applicant's remarks that none of the cited references disclose displaying a phrase that includes words in sequence forming a syntactic unit said remarks are moot in lieu of the new grounds of rejection.

14. In response to Applicant's remarks that the Office's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

15. Applicant's arguments have been fully considered but they are not persuasive.

### ***Conclusion***

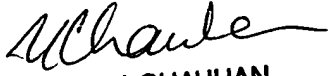
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter-Anthony Pappas whose telephone number is 571-272-7646. The examiner can normally be reached on M-F 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peter-Anthony Pappas  
Examiner  
Art Unit 2671

PAP

  
ULKA J. CHAUHAN  
PRIMARY EXAMINER